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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Australia, Canada, Costa Rica, Finland, Germany, Hungary, Ireland, Italy, Japan, Jordan, Luxembourg, Netherlands, New Zealand, Nigeria, Poland and United Kingdom of Great Britain and Northern Ireland: draft resolution

Human rights and mass exoduses

The General Assembly,

Mindful of its general humanitarian mandate under the Charter of the United Nations to promote and encourage respect for human rights and fundamental freedoms,

Noting that the report of the Secretary-General entitled "An Agenda for Peace" 1/ identifies the protection of human rights as an important element of peace, security and economic well-being and highlights the importance of preventive diplomacy,

Deeply disturbed by the increasing scale and magnitude of exoduses of refugees and displacements of population in many regions of the world and by the human suffering of millions of refugees and displaced persons,

Conscious of the fact that human rights violations are one of the multiple and complex factors causing mass exoduses of refugees and displaced persons,

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1/ A/47/277-S/24111.

Deeply preoccupied by the increasingly heavy burden being imposed, particularly upon developing countries with limited resources of their own, and upon the international community as a whole, by these sudden mass exoduses and displacements of population,

Stressing the need for strengthening international cooperation aimed at averting new massive flows of refugees while providing durable solutions to actual refugee situations,

Reaffirming its resolution 41/70 of 3 December 1986, in which it endorsed the conclusions and recommendations contained in the report of the Group of Governmental Experts on International Cooperation to Avert New Flows of Refugees,

Recalling its resolution 46/127 of 17 December 1991 and Commission on Human Rights resolution 1993/70 of 10 March 1993, as well as all previous relevant resolutions of the General Assembly and the Commission on Human Rights,

Noting that the Secretary-General, in his report on the strengthening of the coordination of humanitarian emergency assistance of the United Nations, 2/ states that in complex emergencies, humanitarian assistance is essential but must be complemented by measures to address the root causes of such emergencies, and that the establishment of the inter-agency consultation on early warning serves the purposes of both prevention and preparedness,

Noting also that the Executive Committee of the Programme of the United Nations High Commissioner for Refugees has specifically acknowledged the direct relationship between the observance of human rights standards, refugee movements and problems of protection,

1. Recalls its endorsement, in its resolution 41/70, of the recommendations and conclusions contained in the report of the Group of Governmental Experts on International Cooperation to Avert New Flows of Refugees, including, inter alia, the call upon all States to promote human rights and fundamental freedoms and to refrain from denying these to individuals in their population because of nationality, ethnicity, race, religion or language;

2. Once again invites all Governments and intergovernmental and humanitarian organizations concerned to intensify their cooperation with and assistance to worldwide efforts to address the serious problems resulting from mass exoduses of refugees and displaced persons, and also the causes of such exoduses;

3. Requests all Governments to ensure the effective implementation of the relevant international instruments, in particular in the field of human rights and humanitarian law, as this would contribute to averting new massive flows of refugees and displaced persons;

2/ A/47/595.

4. Requests all United Nations bodies, including the United Nations human rights treaty bodies, the specialized agencies and governmental, intergovernmental and non-governmental organizations, to cooperate fully with all mechanisms of the Commission and, in particular, to provide them with all relevant and accurate information in their possession on the human rights situations creating or affecting refugees and displaced persons within their mandates;

5. Welcomes the recommendation in Commission on Human Rights resolution 1993/70 of 10 March 1993 that special rapporteurs, special representatives and working groups studying situations of violation of human rights pay attention to problems resulting in mass exoduses of populations and, where appropriate, report and make relevant recommendations to the Commission on Human Rights;

6. Notes that the Executive Committee of the Programme of the United Nations High Commissioner for Refugees has specifically acknowledged the direct relationship between the observance of human rights standards, refugee movements, problems of protection and solutions;

7. Welcomes the contributions of the High Commissioner to the deliberations of international human rights bodies, and encourages her to seek ways to make these contributions even more effective;

8. Also welcomes the statement made by the United Nations High Commissioner for Refugees at the forty-ninth session of the Commission on Human Rights, on 3 March 1993, in which she emphasized the need for early response by the international community to human rights situations which threaten to generate refugees and displaced persons, or which impede their voluntary return;

9. Encourages States that have not already done so to accede to the 1951 Convention relating to the Status of Refugees 3/ and the Protocol thereto of 1967; 4/

10. Takes note with appreciation of the emphasis placed by the Secretary-General in his report to the General Assembly at its forty-seventh session on the need to develop the capacity of the United Nations for early warning and preventive diplomacy to help deter humanitarian crises; 5/

11. Reiterates, in this regard, its previous resolutions on the question of human rights and mass exoduses, and requests the Secretary-General, in the further development of the capacity of the Secretariat for early warning and preventive diplomacy, to pay particular attention to international cooperation to avert new flows of refugees;

3/ United Nations, Treaty Series, vol. 189, No. 2545.

4/ Ibid., vol. 606, No. 8791.

5/ A/47/595.

12. Notes, in this connection, that mass movements of populations are caused by multiple and complex factors, which indicates that early warning requires an intersectoral and multidisciplinary approach;

13. Encourages the Secretary-General especially to continue to discharge the task described in the report of the Group of Governmental Experts on International Cooperation to Avert New Flows of Refugees, including the continuous monitoring of all potential outflows, and to implement the recommendations of the Joint Inspection Unit contained in its report entitled "The coordination of activities related to early warning of possible refugee flows"; 6/

14. Urges the Secretary-General to attach a high priority and allocate the necessary resources from the regular budget of the United Nations to the consolidation and strengthening of the system for undertaking early-warning activities in the humanitarian area by, inter alia, the designation of the Department of Humanitarian Affairs as the focal point for early warning in this area and strengthened coordination between relevant offices of the Secretariat concerned with early warning and organizations of the United Nations system, for the purpose of ensuring, inter alia, that effective action is taken to identify human rights abuses which contribute to mass outflows or persons;

15. Welcomes the decision by the Administrative Committee on Coordination to establish a regular United Nations inter-agency early-warning consultation related to possible flows of refugees and displaced persons, based on the sharing and analysis of relevant information between United Nations bodies and the development of collective recommendations for action to alleviate, inter alia, the possible causes of new flows of refugees and displaced persons;

16. Also welcomes the decision by the Administrative Committee on Coordination to designate the Department of Humanitarian Affairs as the focal point of the United Nations inter-agency early-warning consultation;

17. Urges the Department of Humanitarian Affairs to take the necessary steps to function effectively as the focal point of the inter-agency early-warning consultation;

18. Urges all the bodies involved in the inter-agency consultation to cooperate fully in, and devote the necessary resources to, the successful operation of the consultation;

19. Invites the Commission on Human Rights to keep the question of human rights and mass exoduses under review with a view to supporting the early-warning arrangement instituted by the Secretary-General to avert new massive flows of refugees and displaced persons;

6/ A/45/649.

20. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the strengthened role that he is playing in undertaking early-warning activities, especially in the areas of human rights and humanitarian assistance, as well as on any further developments relating to the recommendations contained in the report of the Group of Governmental Experts on International Cooperation to Avert New Flows of Refugees and the recommendations of the Joint Inspection Unit; 6/

21. Invites the Secretary-General to include in his report to the General Assembly at its fiftieth session detailed information on the programmatic, institutional, administrative, financial and managerial efforts instituted to enhance the capacity of the United Nations to avert new flows of refugees and to tackle the root causes of such outflows;

22. Decides to continue its consideration of the question of human rights and mass exoduses at its fiftieth session.